Parliamentary Assembly
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COUNCIL OF EUROPE
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Opinion 245 (2003)[1]

Draft revised Convention for the protection of animals during international transport

Parliamentary Assembly

1. The Parliamentary Assembly welcomes and supports the draft revised European Convention for the Protection of Animals during International Transport. It recalls in this respect its Recommendation 1289 (1996) on animal welfare and livestock transport in Europe, which was the basis for the revision of the convention.

2. The European Convention on the Protection of Animals during International Transport (ETS No. 65) was the first international legal instrument laying down ethical principles in this field and represented a point of reference in European countries for the elaboration of relevant national and European legislation. Nevertheless, the improvement of the conditions for the international transport of livestock and of the mechanisms to assure the implementation of legislation, in line with the principles set out in the convention and in the connected Committee of Ministers' recommendations, remained a matter of concern.

3. The Assembly welcomes the timing of the draft revised convention, as it allows the necessary updating of its provisions in the light of the experience acquired and the scientific results obtained since its opening for signature. The efforts made to clarify and simplify its provisions in order to improve their readability are also welcomed, as this will facilitate their implementation. Particular interest and appreciation is expressed with regard to the political and technical value of the method adopted during the revision process, based on close collaboration with non-governmental organisations representing the different sectors concerned – veterinarians, transporters, animal protection associations, animal behaviour specialists, farmers, scientists, and so on – which is of paramount importance given the technical and scientific contents of the draft revised convention.

4. The Assembly considers the draft revised convention to be well geared to the aims it is intended to achieve and a substantial step forward with respect to the convention currently in force. The animals' welfare is recognised as the fundamental issue which must be taken into account during transport, and this must be considered from the planning of a journey to its conclusion, with particular regard to the reduction of the length of journeys.

5. The Assembly notes with interest that the draft revised convention contains more precise definitions than the original convention and clearly identifies the responsibility of people involved at all stages in the transport of animals. It also defines the responsibility of the parties:

5.1. in the control and supervision of the application of the convention;

5.2. in the application of the provisions for transport within their own territory;

5.3. in providing mutual assistance and information; and

5.4. in one of the most important new aspects of this draft revised convention – ensuring an effective system of training.

1. Assembly debate on 1 April 2003 (11th Sitting) (see Doc. 9743, report of the Committee on the Environment, Agriculture and Local and Regional Affairs, rapporteur: Mr Etherington). Text adopted by the Assembly on 1 April 2003 (11th Sitting).

6. In this context, the Assembly attaches particular importance to ensuring that all member states which become parties to the revised convention provide an effective system to monitor the implementation of the principles set out in the convention.

7. The Assembly also welcomes the close co-operation with the European Union in the elaboration process of the draft revised convention, taking into account the relevant European Community provisions, and with a view to the accession of the European Union to the revised convention. It realises that the text adopted by the Multilateral Consultation of the Parties is the result of a delicate compromise, seeking to ensure that the revised convention and the national and European legislation in the field are, and remain, compatible with each other. This is reflected in the definition of scope of application of the convention, and in particular in the reference to "international" transport and to the exclusion of journeys of less than fifty kilometres.

8. The Assembly is aware of the evolution of the notion of international boundaries within Europe after the new enlargement of the European Union, and to this end expresses its wish that European Community law and international law continue to evolve together in this area. It recommends that in the implementation of the convention at national level special attention be given to those provisions aiming to ensure the respect of its principles and provisions during internal transport (Article 3, paragraph 3) and to minimise the suffering of animals in cases where unforeseeable circumstances may prolong the length of journeys, including those over a short distance (Article 4, paragraph 5).

9. The Assembly notes with interest the idea of laying down in the draft revised convention the essential principles applying to all species and of providing it with technical protocols, which will contain all relevant figures for space allowance, maximum travelling times and intervals for feed, water and rest, which can be amended following a simplified procedure. The Assembly considers that this would increase the flexibility of the convention, facilitating thereby its future updating in the light of scientific evidence and experience acquired.

10. Nevertheless, the Assembly remains concerned that the omission of all technical details and figures from the core text of the convention would make it difficult to monitor the implementation of its provisions. It therefore urges that the technical protocols be drawn up as quickly as possible in order to facilitate their acceptance together with the convention.

11. The Assembly wishes to reaffirm its particular concern about the maximum length of a journey as the most relevant threat to the welfare of animals during transport. In the absence of any explicit indication of maximum travelling times in the text of the convention, the Assembly emphasises the need to draw up the technical protocols mentioned in Articles 17 and 20 of the convention as soon as possible.

12. The Assembly believes that the improvement of the conditions for the international transport of livestock, in particular with regard to avoiding their unnecessary transport, the reduction of travel and waiting times, improving transport facilities and feeding/watering systems, remains a matter of urgency. To this end, the Assembly fully endorses the draft revised convention submitted to it for opinion and recommends that the Committee of Ministers:

12.1. open the draft revised convention for signature at the earliest opportunity;

12.2. urge all Council of Europe member and Observer states to sign and ratify the instrument as soon as possible, in order to speed up its entry into force and the elaboration of its technical protocols;

12.3. make every effort to extend the number of signatures and ratifications of the revised convention in comparison with the convention currently in force;

12.4. encourage the European Union to speed up the revision of its own directives on livestock transportation, taking into account the provisions of the revised Council of Europe convention; and urge it to accede to the Council of Europe revised convention, for adequate protection of animals during international transport can only be assured in a pan-European perspective;

12.5. encourage all member and Observer states of the Council of Europe to implement the convention at national level, paying special attention to those provisions aiming to ensure the respect of its principles and provisions during internal transport and to minimise the suffering of animals in cases where unforeseeable circumstances may prolong the length of journeys, including those over a short distance;

12.6. entrust more authority to the parties to the convention in monitoring its the implementation by introducing provisions for proper control and sanctioning mechanisms, as well as ensuring its flexible adaptation to scientific and technological developments;

12.7. increase assistance to the countries of central and eastern Europe needing an upgrading of legislation and skills for improved animal welfare;

12.8. request not only the contracting parties but all member and Observer states to entrust animal transport to persons and/or companies with certified qualifications, and, to this end, work out harmonised training requirements and codes of conduct;

12.9. make the necessary resources available for speeding up the activities on the elaboration of the additional protocols and codes of conduct with a view to assuring the completion of the revision of the framework for animal transport and with an ultimate objective to bring all five conventions of the Council of Europe on the protection of animals into a broader framework for the welfare of animals.